

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOHN YUNG,

Plaintiff,

-against-

PEOPLE OF NEW YORK,

Defendant.

**USDC SDNY**  
**DOCUMENT**  
**ELECTRONICALLY FILED**  
**DOC #:** \_\_\_\_\_  
**DATE FILED:** 6/11/2024

24-CV-03605 (MMG)

**ORDER**

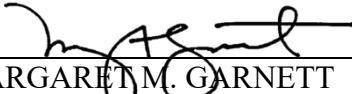
MARGARET M. GARNETT, United States District Judge:

The Plaintiff filed a letter in this closed case dated May 29, 2024. *See* Dkt. No. 9. Plaintiff seeks to reopen this case in order to “amend and transfer” the case to the District Court for the Eastern District of New York, citing cases (one in the *habeas corpus* context) that he argues would support this relief.

Plaintiff’s case was closed because it was presented to the Court in the posture of a motion to remove a criminal case from New York Supreme Court to this Court under 28 U.S.C. § 1455(a). The removal was improper, *see* Dkt. No. 3, and the Plaintiff’s request to reopen a case that is incurably defective is DENIED. *See Bey v. State of New York et al.*, 23-cv-03490 (LTS), Dkt. No. 6 (because removal was improper, the defects in the pleading could not be cured with an amendment). If Plaintiff believes he has a valid *habeas* petition arising from his current state criminal case in Kings County Supreme Court, he should seek such relief by filing a *habeas* petition in the District Court for the Eastern District of New York.

Dated: June 11, 2024  
New York, New York

SO ORDERED.

  
\_\_\_\_\_  
MARGARET M. GARNETT  
United States District Judge